



White-tailed Deer Fencing Regulations

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This publication provides a summary of Wisconsin's laws, which pertain to fences used to confine farm-raised white-tailed deer. It is not a complete set of the laws.

DEER FARM FENCING

White-tailed deer farming is a form of alternative agriculture and is regulated and licensed by the Department of Agriculture, Trade and Consumer Protection (DATCP). The Department of Natural Resources (DNR) is responsible for regulating white-tailed deer farm fencing. Before you can register your white-tailed deer farm with DATCP you must have your fence inspected and receive a deer farm fence certificate from the DNR.

The department has also developed chronic wasting disease (CWD) monitoring options for those farmers who choose not to enter the DATCP CWD monitoring program. Every deer farm must enter the DATCP program or choose one of the DNR alternatives.

A white-tailed deer farm perimeter fence must meet the following requirements:

Fencing Height

Deer farm fences constructed and licensed after January, 1 2003 must be a minimum of 8 feet high measured from the ground to the top horizontal wire. All fences must extend to the ground.

Fencing Materials

Fences must be made of high tensile or woven wire. The use of materials other than woven wire or high tensile may be permitted if the materials are found to exceed minimum specifications and the fence is sufficient to hold the deer inside the enclosure. Requests for authorization to use other materials than standard materials described below should be made in writing from the department before construction is begun.

High Tensile Fence – A high tensile fence must meet the following requirements:

- ❖ Horizontal wires are not less than 2.5 millimeters in size and are heavily galvanized high tensile wire.
- ❖ Vertical stay wires are not less than 2.5 millimeters in size and are heavily galvanized medium tensile wire.
- ❖ Knot wire is not less than 2.24 millimeters in size and is heavily galvanized mild steel.
- ❖ Distance between vertical stay wires is not more than 6 inches.
- ❖ Distance between horizontal line wires is not more than 4 inches in the bottom foot of the fence, not more than 6.5 inches in the next 2 feet of the fence and is not more than 8.5 inches in the rest of the fence.
- ❖ Posts may not be more than 20 feet apart.

Woven Wire Fence – A woven wire fence must meet the following requirements:

- ❖ The wire must be 14½ gauge or heavier.
- ❖ If the wire is 14½ gauge, the mesh cannot be larger than 36 square inches.
- ❖ If the wire is heavier than 14½ gauge, the mesh cannot be larger than 48 square inches.
- ❖ Distance between horizontal wires is not more than 4 inches in the bottom foot of the fence, not more than 6.5 inches in the next 2 feet of the fence and is not more than 8.5 inches in the rest of the fence.
- ❖ Posts may not be more than 12 feet apart.

Wooden Posts – If wooden posts are used they must meet the following requirements:

- ❖ Posts must be at least 12 feet long.
- ❖ Line post smallest dimension – If line posts are rectangular or square the top of the posts must be a minimum of 3.5 inches wide, if line posts are round the top of the posts must be at least 3.5 inches in diameter.
- ❖ Corner and gate posts smallest dimension – If posts are rectangular or square the top of the posts must be a minimum of 5.5 inches wide, if posts are round the top of the posts must be at least 5.5 inches in diameter.
- ❖ The wires must be held securely to the posts, allowing for free movement of the horizontal line wires, using 9-gauge staples of at least 1.5 inch size.

Steel or Iron Posts – If the fence is made with steel or iron posts, the posts shall be at least 12 feet long.

Installation of Wire/Fence – Wires and fences must be installed on the inside of the posts toward the farm-raised white-tailed deer except at corners.

Additions or expansion to fences – Additions or expansions of perimeter fencing that increase the size of any fenced area must be at least 8 feet high.

Gates – All gates must remain closed and secured at all times except when persons or equipment are traveling through the gates. This is extremely important, as past history has shown a large percentage of deer escapes occur through open gates.

Corridors – An unobstructed corridor, path or road at least 4 feet wide must be maintained along the inside or the outside of the fence to allow regular inspections of the fence by the deer farm operator or DNR agent with the use of a vehicle, ATV or snowmobile.

If the fence is 5 acres or smaller in size can be easily inspected and maintained without the need for access by a vehicle a corridor is not required.

Minimum Size – A white-tailed deer farm fence may not enclose less than ½ acre or 21,780 square feet.

SPECIAL FENCING REQUIREMENTS

Double fencing or solid fencing is offered as an alternative to enrolling in the DATCP CWD monitoring program. Any size deer farm may take advantage of these two fence options.

Double Fence

- ❖ Both fences must meet the conditions listed above for a single perimeter fence.
- ❖ The 2 fences must be at least 8 feet but not more than 16 feet apart.

Solid Fence

Solid fences must meet the requirements for a single perimeter fence and in addition:

- ❖ The lower 7 feet of the fence shall be covered with solid material that prevents deer on opposite sides of the fence from making visual or physical contact.
- ❖ One single strand of electrified wire must run around the inside or the outside of the entire length of the perimeter fence. The electric wire must be 3 feet high and 2 feet from the solid perimeter fence and must be operating effectively.

Notice of Fence Addition or Replacement

- ❖ Before farm-raised white-tailed deer may be placed within an addition, a deer farm fencing certificate application must be filed and the new fence must be inspected and approved.
- ❖ Notice does not have to be given to the DNR before construction begins unless a fencing material other than the standard high tensile or woven wire is used.
- ❖ Routine maintenance and minor repairs to existing wire, posts and gates that do not result in the total replacement of a small section of perimeter fence do not need to be reported to the DNR.

DEER FARM HARVEST PLAN

Deer farms with enclosures 80 acres or greater who are not enrolled in the DATCP CWD monitoring program or do not double or solid fence may instead file and follow an annual deer harvest plan (form 2300-296A). The harvest plan requires the farmer to:

- ❖ Test a minimum of 10% of the resident deer herd annually for CWD over the first 3 consecutive years the farm is enrolled in the program.
- ❖ Test a minimum of 5% of the resident deer herd annually for CWD after the first 3 years.
- ❖ A resident deer is a white-tailed deer that has reached the age of 2 years and has been on the licensed farm for at least 2 years.

Note: DATCP requires all deer over the age of 16 months that die for any reason or are harvested to be tested for CWD, even if the 10% harvest minimum has already been reached.

CWD Monitoring Compliance

Failure to remain enrolled in or comply with the DATCP chronic wasting disease monitoring plan, deer harvest plan or fencing plan or failure to maintain a perimeter fence in good condition may result in the revocation of the fence certification.

Removal & Disposal of Wild White-tailed Deer

Prior to the issuance of a fence inspection certificate all wild white-tailed deer remaining in a fenced area after the fence surrounding the area is completely closed must be driven out of the enclosure or killed and disposed of as determined by the department. This may be done by:

- ❖ A written permit issued to the landowner or persons designated by the DNR to shoot the wild white-tailed deer within the fence.
- ❖ By DNR employees.
- ❖ All wild deer killed must be disposed of as directed by the DNR at the expense of the applicant.

Note: DATCP rules do not permit the DNR to sell or transfer any live wild white-tailed deer for deer farming purposes.

Reporting of Fence Failure and Escapes

Anytime a fence fails to contain farm-raised white-tailed deer the owner issued the fence certificate or the owners' representative must notify the department of the fence failure or escape. The notification must take place immediately if possible but not later than 24 hours after the person is aware that a fence failure or escape has occurred and must include what action will be taken to deal with the fence failure or escaped deer.

APPLICATION PROCESS

For a fence certificate application contact your local DNR office, the Bureau of Customer Service and Licensing at: (608) 266-0862 or write to:

Department of Natural Resources
Bureau of Customer Service and Licensing
P.O. Box 7924
Madison, WI 53707-7924

FEES: Fenced area under 80 acres certificate fee is \$50.
Fenced area 80 acres or greater certificate fee is \$100.
A fence addition under 80 acres certificate fee is \$50.
A fence addition that increases acreage from under 80 to 80 acres or greater is \$50.
A fence addition 80 acres or greater certificate fee is \$100.

EFFECTIVE PERIOD: A deer farm fence certificate is valid from the date of issuance until the 10th December 31 following the date of issuance.